PATTERNS OF POWER · THE SETTLEMENT PROTOCOL

The Author Made Nobody

How England Relocated the Ground of Ownership from the King to the Law to Nature Itself, 1534–1704

HELD AS TESTED, NOT REVEALED

THE AUTHOR MADE NOBODY
PREFACE

Preface: the collaboration, and what this study is for

On how the work was made, the question it asks, and the discipline it is held in.

This study is part of the Patterns of Power series and, like the others, it is a collaboration. The research direction, the case selection, and the judgement are the author's; the historical synthesis, the drafting, and much of the scholarly retrieval were done with Claude, Anthropic's model, each claim checked against the record before the next was begun. The method is stated openly because it is an emerging form of knowledge production and ought to be visible rather than concealed, and because a reader is entitled to know how a thing was built before deciding what to make of it.

This study is a capstone. It follows two earlier studies in the series — one on Henry VIII's break with Rome, one on the legal fictions of European colonial title — and it completes the arc they began. Its subject is the assembly, across roughly a hundred and seventy years of English history, of the specifically *modern* form of the thing this series calls an anchor: the impersonal rule of law securing private property. That form is now so much the water we swim in that it is nearly invisible as a made thing at all — it feels less like a fiction than like the floor of reality. The purpose of this study is to make it visible again as an achievement and a construction: to show that "ownership secured by law" was assembled, piece by piece, out of older and more personal kinds of authority, and that each step in the assembly followed the same logic, which is the logic this series has traced through sacred kings and lot-drawing republics and borrowed emperors.

The framework is stated in full below; no prior reading is required. It is held as tested, not revealed. This case is the series' account of where the modern reader's own intuitions about property come from, and it strains the framework in one important

place — the sheer duration and violence of the assembly — which the closing sections treat honestly. To explain how an order legitimated itself is neither to praise it nor to excuse what it did, and the order whose foundations this study admires was, on its outer edge, a slave-trading empire that manufactured its own titles to other people's continents. That the machinery was ingenious does not soften by a single life what it was used to do.

THE AUTHOR MADE NOBODY
SECTION ONE

The puzzle

Why the most durable form of ownership ever built rests on the flimsiest-seeming fiction of all.

Every form of ownership this series has examined turns out, on inspection, to be a fiction — a made thing, an anchor, a story about who rightfully holds what, believed or coordinated upon until it hardens into fact. The Ethiopian emperor owned his realm because he descended from Solomon; the Venetian patrician owned his place because an unforgeable lottery said so; the Norman baron owned his manor because the king who ruled by the law of Edward had granted it. None of these is a fact of nature. Each is a robe woven over a distribution of holdings that force originally seized, and the robe works not because it is true but because its author sits beyond the reach of anyone who might tear it off.

Modern property feels different. When a person today owns a house, the ownership does not seem to rest on a story at all. It rests on *the law* — on a title deed, a registry, a court that will enforce the boundary, a state that stands behind the whole apparatus. This feels solid in a way that "I descend from Solomon" does not; it feels less like a fiction and more like a fact. And yet it is a fiction, in exactly the sense this series means: "this land is mine, and will be mine when I sleep and when I die and when the government changes, and others will treat my heir as its owner" is a claim about the future behaviour of other people, not a fact of nature, and it has to be authored by something. The puzzle is that this particular fiction — impersonal law securing private property — has proven the most durable and the most expansive form of ownership ever devised, underwriting the wealthiest and most powerful societies in history and a global empire besides. Why should the fiction that feels *least* like a fiction be the strongest one? What is its author, and why is that author so much harder to tear down than a god or a bloodline or a king?

This study answers by tracing how the fiction was built, in England, across three moves and a hundred and seventy years. Henry VIII relocated the author of English title from a foreign person, the Pope, to a domestic institution, the Crown-in-Parliament. The Glorious Revolution of 1688 settled which half of that institution was sovereign, and made the author fully impersonal — a procedure no single person could revise. And John Locke, rationalising the settlement after the fact, relocated the *ultimate* author one final step, out of every human institution altogether and into nature itself, so that property no longer needed *any* authorising person, only a law that recognised a title nature had already granted. Each move made the anchor harder to forge by making its author harder to seize — from a person you could defy, to an institution you could not capture, to a natural fact you could not even reach. The strongest fiction is the one whose author is, in the end, nobody at all.

THE AUTHOR MADE NOBODY
SECTION TWO

The framework, for a reader who has not met it

Possession against ownership, the bystanders' problem, the anchor, and the unforgeable author.

Begin with a distinction modern intuition tends to collapse. **Possession** is a present-tense physical relation: what I can hold right now, by my own strength. Force is entirely adequate to it. **Ownership** is a claim about the future and about other people: that a thing will still be mine tomorrow, mine while I sleep, mine when I die and pass to my heir, honoured by others not because they fear me but because they accept my right. Ownership is a structure of expectations about how others will behave toward a thing across time, and force — sovereign over the present — cannot reach it. The part of a holding that force cannot secure is the part that has to be manufactured by something other than force. Call that manufactured thing the anchor: a shared source of legitimate title.

Why is an anchor needed at all? Because a settlement of holdings resting on force alone is never safe, owing to a coordination problem. Consider a powerful man deciding whether to seize a neighbour's holding. Strip out conscience; his decision is a forecast about the *other* powerful men who will watch. If they stand aside, he may win; if they fall on him together, he is destroyed. Now take the watchers' problem: each asks, *is this my fight?* If holdings rest only on strength, one man's grab is merely his gamble, and no other has a shared reason to spend blood stopping it — so each watches, knows the others watch, and predation is chronically safe. A shared source of title breaks the deadlock. If every man's holding draws its rightfulness from one source, then a grab at any holding is an attack on the ground beneath *all* of them, and each watcher moves against the aggressor not from loyalty but because letting the grab stand would unmake the title to his own holding. The anchor turns the

watchers into an automatic coalition, and the aggressor, forecasting it, does not move.

For this to work, the anchor must have one property above all: it must be **unforgeable by the men competing for power**. If any of them can revise the source of title to his own advantage, then the anchor is worth no more than his current strength, and everyone can see it — it has collapsed back into naked power. This is why the strongest anchors place their author beyond every competitor's reach: in a god no one can command, a bloodline no one can forge, a closed ancient text no one can rewrite, an impersonal procedure no one can capture. And it is why a ruler cannot successfully be the author of his own anchor: a legitimacy a man confers on himself is one he can revise, visible as such to all, and therefore anchors nothing. This series has watched rulers try — the Roman emperor Diocletian declaring himself divine — and watched the attempt collapse. The whole art is to locate the author of title somewhere no player in the game can reach.

Two refinements this study will use. First, the author need not be *supernatural* — an impersonal procedure or an institution can be as unforgeable as a god, provided no single competitor controls it. Second, this study's central idea: an anchor can be *relocated* — its author moved from one unforgeable source to another — and where the relocation is done well, by building the new author before dismantling the old, the settlement passes from one anchor to the next without an interval of warlordism in between. This study is the story of two such relocations in series, and of a third that moved the author further from human reach than any before it.

THE AUTHOR MADE NOBODY
SECTION THREE

The historical spine

What happened, for a reader who knows nothing of Tudor and Stuart England.

The story runs from one royal crisis to a philosopher's book, across four reigns and a revolution.

The Henrician break (1530s). Henry VIII, king of England, needing a male heir and blocked by the Pope from annulling his first marriage, removed England from the authority of the Roman Church. Through a sequence of statutes in the 1530s, above all the Act of Supremacy of 1534, Parliament declared the king the supreme head of the Church of England, and between 1536 and 1540 the Crown dissolved the monasteries — which held perhaps a fifth to a quarter of the cultivated land of England — and sold most of that land, cheaply and widely, to nobles, gentry, and merchants. The break was grounded not merely in Henry's will but in a claim about scripture and the ancient church, and it was enacted through Parliament, whose statutes now carried the supremacy.

The Stuart conflict (1603–1660). In 1603 the throne passed to the Stuart dynasty, who inherited the composite authority Henry had left — king together with Lords and Commons in Parliament — but who tried to answer, in the crown's favour, a question Henry had never had to settle: when king and Parliament disagree, who is sovereign? The early Stuarts asserted a *divine right of kings* — the doctrine that the king's authority came directly from God and was answerable to God alone, not to Parliament. This claim, that the king was the sole author of law and Parliament merely his advisor, collided with a Parliament that claimed its own consent was necessary for taxation and law. The collision became civil war in the 1640s; Parliament's forces won; and in 1649 King Charles I was tried and beheaded by his own subjects — an event without precedent, a king killed not by a rival claimant but by the institution that claimed to stand above him. The republic that

followed could not stabilise, and in 1660 the monarchy was restored under Charles's son.

The Glorious Revolution (1688–89). The restored Stuarts soon revived the single-author claim. James II, a Catholic, asserted the power to suspend and dispense with statutes by his own royal authority — to set aside laws Parliament had made, by his will alone. In 1688 the political nation removed him: they invited the Dutch prince William of Orange and his wife Mary (James's Protestant daughter) to take the throne, James fled, and Parliament settled the crown on William and Mary *on conditions*. Those conditions were written into the **Bill of Rights of 1689**, which declared it illegal for the crown to suspend or dispense with laws, to levy money, or to keep a standing army without the consent of Parliament. The monarch now held the throne from a settlement Parliament had authored, rather than the settlement holding from the monarch.

Locke (1689–90). In 1689–90, in the wake of the Revolution, John Locke published his *Two Treatises of Government*. The work had been largely written earlier, as a justification for resistance to the Stuarts, but it appeared as the philosophical rationale of the new settlement. Its *Second Treatise* contained a theory of property — that ownership arises when a man mixes his labour with the earth, prior to and independent of any government, and that government exists only to protect a title nature has already granted. This theory, absorbed into English and then Anglo-American law and political culture, became the intellectual foundation of the modern regime of private property. Locke himself was no detached theorist: he was secretary to the Lords Proprietors of the colony of Carolina, helped draft its constitution, held shares connected to the Royal African Company that ran England's slave trade, and served on the body that administered the colonies. His theory and his colonial career were of a piece, in ways this study will not pass over.

THE AUTHOR MADE NOBODY
SECTION FOUR

First relocation: from the Pope to the Crown-in-Parliament

Henry moves the author inside the realm — and leaves one question unanswered.

The medieval English king's legitimacy had its deepest root outside England altogether. The whole framework within which a king was a rightful *Christian* monarch rested on the authority of the universal Church, headed by the Pope in Rome, whom no English king could appoint, depose, or command. This was an anchor of the purest exogenous kind: the ultimate author of Christian legitimacy sat physically and institutionally beyond the reach of any English competitor for power, which is precisely why it was stable. No English magnate, and no English king, could make himself the Pope.

Henry's break cut that root, and — as the companion study on his reign argues in detail — the durable part of what he built was not his overreaching personal claim to be "supreme head" of the church, which was a self-authored and therefore unstable thing, but the *relocation of the author of English title from Rome into the Crown-in-Parliament*. Three pieces did the work. He grounded the break in **scripture**, a closed ancient text no living hand could rewrite, so that the new authority claimed to *restore* an original order rather than to invent one. He enacted the supremacy through **Parliament**, whose statute — worded, tellingly, to *acknowledge* an existing fact rather than to *grant* a new title — made the author a composite institution rather than the naked will of one man. And he sold the monastic lands widely, creating a broad class of proprietors whose own titles now flowed from the new settlement and who would defend it as they defended their own estates. The proof that this relocation was real, and not merely Henry's power in a costume, is that when his Catholic daughter Mary tried to reverse the whole thing, she restored the Pope but could *not* claw back the monastic lands, because those now rested on the Crown-in-

Parliament, which she would have had to destroy — threatening every title in England — to reach them.

But Henry's relocation left one question unanswered, and it is the question the next century would be fought over. The new author was a *composite*: king together with Lords and Commons. When the parts of that composite agreed, all was well. But what happened when they disagreed — when the king wanted one thing and Parliament another? Who, within the composite, was sovereign? Henry never had to answer, because he was himself the dominant part; his Parliaments did his will. He bequeathed to his successors an anchor with an unresolved seam running through its middle, and the Stuarts would try to resolve it in a way that nearly destroyed the settlement.

THE AUTHOR MADE NOBODY
SECTION FIVE

The single author tries to return, and loses his head

The Stuart bid to make the king the author, and why it failed exactly as the framework predicts.

The Stuart kings inherited Henry's composite author and tried to answer its unresolved question by making the king the sovereign part — indeed, by making the king once again the *sole* author of law, with Parliament reduced to an advisory body he might summon or dismiss at will. Their doctrine was the **divine right of kings**: the claim that royal authority descended directly from God to the king's person, that the king was accountable to God alone, and that his will was therefore the source of law rather than its subject.

Read through the framework, this is the Diocletian move at the scale of a whole constitution — an attempt to relocate the author of title *back* into a single person. And the framework predicts precisely why it had to fail. An anchor whose author is a single living man is revisable by that man, and visible as such to every observer, which means it is not an anchor at all but a naked assertion of power dressed in sacred language. The moment the king claims to be the sole author of law, he has told every powerful man in the realm that their titles, their liberties, and their property rest on nothing more solid than his current will — which is to say, on his current strength. That is exactly the insecurity an anchor exists to abolish, and it turns the very men whose coordination the anchor is supposed to secure into a coalition against him, because each now sees that his own holding is only as safe as the king's forbearance.

This is what happened. The Stuart bid to be the sole author collided with a Parliament and a propertied class who had, since Henry, held their titles from the composite author and would not accept their reduction to the gift of a single royal will. The collision became the civil wars of the 1640s, and in 1649 it produced the

event that states the framework's lesson in blood: Charles I was tried and executed by his own subjects. A king was killed not by a foreign conqueror, not by a rival claimant to his bloodline, but by the institution — Parliament — that claimed to stand above him as the true author of law. The single-author anchor did not merely fail to bind; it got its claimant killed by the coalition his claim had provoked. The wall that Henry's Parliament-statute had built, Charles broke his head against.

But the 1640s did not settle the question; they only proved the king could not answer it alone. The republic that followed the regicide could not stabilise — a commonwealth, then a military protectorate, then a vacuum — and in 1660 the exhausted nation restored the monarchy, the unresolved seam still running through the middle of the settlement. The question of who was sovereign within the composite author remained open, and a second Stuart bid to answer it in the crown's favour was still to come.

THE AUTHOR MADE NOBODY
SECTION SIX

Second relocation: the author made impersonal

1688, the Bill of Rights, and the settlement that finished Henry's sentence.

The restored Stuarts soon reopened the wound. James II, king from 1685 and openly Catholic, asserted the royal power to *suspend* laws — to set aside a statute's operation entirely — and to *dispense* with them — to exempt particular persons from them — by his own authority, without Parliament. This was the single-author claim again, in its most concrete and legal form: the assertion that the king could unmake, by his will alone, the law that Parliament had made. If it stood, then Parliament's statutes were provisional, effective only at the king's pleasure, and the king was once more the true author of law.

In 1688 the political nation did not fight a civil war over this, as their fathers had. They removed the king and rewrote the terms of the office. They invited William of Orange to England, James fled, and Parliament settled the crown on William and Mary on written conditions — the **Bill of Rights of 1689**. Its verified language is the exact refutation of the single-author claim, and it is worth quoting closely because the wording is the whole point. The Bill declares that the pretended power of *suspending* the laws by regal authority without consent of Parliament is illegal; that the pretended power of *dispensing* with laws by regal authority is illegal; that levying money for the crown by pretence of prerogative without grant of Parliament is illegal; and that keeping a standing army in peacetime without consent of Parliament is against law. Notice the word "pretended" — the Bill does not merely limit these royal powers, it declares they never legitimately existed. The king had claimed to be, in these matters, the author of law. The Bill of Rights declares that he never was.

Read through the framework, 1688 is the second relocation, and it finishes the sentence Henry began. Henry had moved the author of English title from a foreign person into a domestic composite institution but left unsettled which part of that institution was sovereign. The Bill of Rights settles it: the law is not the king's to suspend or dispense with; taxation and the army require Parliament's consent; the crown holds its authority *from* the settlement, on conditions, rather than the settlement holding from the crown. The sovereign part of the composite author is now, unambiguously, the King-*in*-Parliament with Parliament as the senior partner — and, crucially, this author is *impersonal* in the decisive sense: no single person, not even the king, can revise it, because it takes the whole legislative instrument (Commons, Lords, and crown together) to change what the whole legislative instrument made. The author of English title has become a *procedure* rather than a *person* — and a procedure, like Venice's unforgeable lottery, cannot be captured by any one competitor because there is no single seat to seize. This is the framework's deepest requirement met in a new way: not a god beyond the world, not a bloodline no one can forge, but an institution no one can control alone. The monarch has become, constitutionally, what an earlier settlement had made him ecclesiastically — a governor who stands *beneath* the anchor rather than serving as it.

And the settlement was, for the propertied, exactly the trade the framework has seen made before. The English elite gave up the prize of being *the* author — the chance for any one of them, or the king, to hold the realm's title in his personal gift — in exchange for a guarantee that no rival, and no king, could be the author either. Their property no longer rested on controlling the crown, and therefore they no longer had to fight endlessly to control it; their titles rested on a law that held for all of them at once, secured by an author no single hand could move. It is the Venetian patriciate's bargain and the American founders' bargain: submit to a source of title no competitor can seize, and be safe from every competitor in exchange. The endless factional struggle to *own the author* — which is what politics is when the author is a person — gave way to a settled distribution under an author that belonged to no one.

THE AUTHOR MADE NOBODY
SECTION SEVEN

Third relocation: the author made nobody

Locke moves the ground of property out of every institution and into nature.

The Revolution had made the author of English *law* impersonal. John Locke, writing to justify that Revolution, took the further step that defines the modern regime: he made the author of *property* pre-political — located neither in king nor Parliament nor any human institution, but in nature itself, prior to and independent of all of them.

The move is made in the fifth chapter of the *Second Treatise*, and its logic is worth following exactly, because it is the hinge of the modern world's intuitions about ownership. Locke begins from self-ownership: every man, he writes, has a property in his own person, to which no one else has any right. From this the labour of a man's body and the work of his hands are his own. And therefore, in his central formula: whatsoever a man removes out of the state that nature has provided and left it in, he has *mixed his labour with*, and joined to it something that is his own, and thereby *makes it his property* — for this labour, being the unquestionable property of the labourer, excludes the common right of other men. Property, on this account, is not created by a grant from a king, or a bull from a Pope, or a statute of Parliament. It is created by the individual, through labour, out of nature, *before* any government exists — and government arises only afterward, by the consent of property-holders, for the purpose of protecting what nature and labour had already made theirs.

Read through the framework, this is the most radical relocation of the three, and the most powerful. Consider where each prior anchor located the author of property. Under the medieval scheme, title flowed downward through persons: God to Pope to king to subject, each an author who could, in principle, be defied, deposed, or beheaded. Henry cut the top link and lodged the author in an

institution; 1688 made that institution impersonal. Locke cuts *every* human link. He relocates the ultimate author of property out of the whole chain of persons and institutions and into a *pre-political fact* — the mixing of labour with land — that no competitor can seize because there is no seat to seize, no office to capture, no person to depose. You can defy a Pope, behead a king, pack a Parliament. You cannot conquer the proposition that a man who works the earth thereby owns it. Locke made the author of property unforgeable by the most complete method available: he made the author *nobody at all*. Ownership no longer needed an authorising person, only a law that recognised a title nature had already granted.

This is the resolution of the study's puzzle. The reason modern property feels less like a fiction than "I descend from Solomon" — the reason it feels like a fact of nature rather than a story — is that Locke *built* it to feel that way, by locating its author in nature rather than in any nameable person or office. And it is the reason the fiction is so durable: it is the hardest anchor in the entire series to forge, because its author cannot be reached. Every earlier anchor had a seat that could, in principle, be seized — the papacy, the throne, the electoral machinery, the parliamentary majority. Locke's has none. The author of property, in the modern regime he founded, is a pre-political natural right that exists nowhere and belongs to no one, and a thing that exists nowhere cannot be captured by anyone. That is its strength. It is also, as we will see, its horror.

Two consequences fall out of this relocation, and both are the framework operating in the open.

The first is that Locke's move *disarms the succession problem* that has haunted nearly every case in this series. Where title flows through the crown, every royal death and disputed succession is a crisis for title itself — this is the whole reason the Ethiopian state imprisoned its own princes on a mountain, the whole terror of the indeterminate succession. But once property is authored by nature-and-labour rather than by the king's grant, a man's estate no longer trembles when the king dies. The Revolution of 1688 proved this in practice before Locke rationalised it: England changed dynasties — swapped James for William and Mary — without a single landholder's title coming into question, because no title had rested on *that specific king* in the first place. The framework's most dangerous failure mode, the indeterminate succession, is simply switched off. Ownership is unhooked from the one event that used to threaten it most.

The second is that Locke's move *ends the factional war that the framework identifies as the permanent problem of elites*. When title flows through the crown, controlling the crown is everything, because the crown is the author — so the powerful fight over it without end, and the history of monarchy is the history of that fight. When title flows through impersonal law standing on natural right, the prize decentralises: you do not need to *own the author* to secure your holdings, because the author belongs to no one and secures everyone's title at once. The elite converted its ownership from "a grant we must defend by controlling the king" into "a right the law secures for all of us" — and in doing so, converted the zero-sum struggle to control the author into a positive-sum settlement under an author beyond anyone's control. This is why the societies built on this anchor grew so wealthy and so stable: they had removed the thing men most destructively fight over, which is the seat of the author of title, by putting the author where there is no seat.

THE AUTHOR MADE NOBODY
SECTION EIGHT

The wound on the outside: the empire that needed no bull

The same fiction that secured the freeholder's cottage declared a continent vacant.

This series has established a hard law about anchors: the same apparatus that ends the war *inside* a settlement licenses the taking on its *outside*, because every anchor pacifies an inside only by constituting an outside — a class of people whose holdings its author does not recognise. Locke's anchor is the most powerful in the series, and its outside is correspondingly the most total. This is the part of the study that its ingenuity must not be allowed to launder.

Recall the companion study on colonial legitimacy. When the author of title was the Pope, a European claim to the Americas needed a papal grant — the bull *Inter Caetera* of 1493, by which the Pope, as the exogenous author of Christian title, divided the New World between Spain and Portugal. The claim to distant land had to be authorised by the sacred author, because that author was the source of legitimate title. Locke's relocation abolished that requirement, and in doing so built a title-machine for empire that needed no external sanction whatever.

Follow the logic to its conclusion, which Locke follows himself. If property is created by mixing labour with land — specifically, in Locke's account, by the *improvement* of land through settled agriculture, tillage, husbandry — then land that has not been so improved is, in the theory's terms, *unowned*: still in the common state nature left it in, available to be made property by the first labour applied to it. And Locke names the case directly. He contrasts the cultivated fields of England with what he calls the "wild woods and uncultivated waste of America," where, he claims, the land yields little because its inhabitants have not improved it — and concludes that "in the beginning all the world was America." The implication, which the settler colonies drew explicitly and which modern scholarship has documented in

detail, is devastating: the lands of Indigenous peoples who did not practise European-style settled agriculture were, by the labour theory, *vacant* — legally empty, available for appropriation by colonists willing to farm them, without treaty, purchase, or the consent of their inhabitants, and without any papal bull or royal grant to authorise the taking. The fiction that made an English freeholder's cottage unforgeably his was the identical fiction that declared a populated continent legally empty.

And the man who built the fiction built the empire with the same hands. Locke was secretary to the Lords Proprietors of Carolina and had a hand in drafting its *Fundamental Constitutions*, which granted every freeman "absolute power and authority" over his slaves and erected a hereditary colonial aristocracy. He held shares connected to the Royal African Company, the corporation that ran England's Atlantic slave trade, shipping enslaved Africans to the plantations of the very colonies he helped administer. The scholarship debates the precise degree and character of his investment — some shares appear to have come as compensation for his colonial offices rather than as direct speculation — but the entanglement is not in doubt: the philosopher who located the author of property in the labouring individual's natural right was, in his working life, an administrator and beneficiary of an empire that expropriated the labour of enslaved people and the land of dispossessed ones. The theory and the empire were not in tension. They were the same project. The labour theory of property is, read from the inside, the charter of human freedom and secure ownership; read from the outside — from the position of the Powhatan, the Cherokee, the enslaved African whose own labour was owned by another — it is the charter of the largest expropriation in human history, and it required no god's blessing to operate, because it had made nature itself the author of the taking.

This is the framework's darkest law in its purest instance. The anchor that most completely secured the inside — by making the author of property a natural fact beyond any tyrant's reach — was by the same stroke the anchor that most completely licensed the outside, because a title authored by nature could be claimed by whoever performed the labour nature was said to reward, against anyone whose different relationship to the land did not count as labour at all. The strength and the horror are one thing. The fiction that no king could revoke was the fiction that no treaty could restrain.

THE AUTHOR MADE NOBODY
SECTION NINE

What the case shows, and where it strains

Including the century and a half of blood the tidy story omits.

What it shows. This case is the series' account of how the modern anchor was built, and it shows that the modern regime of impersonal-law-securing-private-property was assembled by the same logic the series has traced everywhere else: the relentless relocation of the author of title toward sources no competitor can seize. Henry moved the author from a foreign person to a domestic institution; 1688 made the institution impersonal, a procedure rather than a person; Locke moved the ultimate author out of every institution and into nature, making it nobody at all. Each step made the anchor more durable by making its author less reachable, and the endpoint — an author located in a pre-political natural right that exists nowhere and belongs to no one — is the most unforgeable anchor in the entire series, which is exactly why the orders built on it have been the most stable, the wealthiest, and the most expansive. The case also demonstrates, in the execution of Charles I and the expulsion of James II, the framework's prediction that a bid to relocate the author *back* into a single person fails catastrophically — that the single-author anchor gets its claimant killed or deposed by the coalition his claim provokes. And it shows the framework's expenditure logic across the whole arc: at every step, the powerful paid real, avoidable costs — routing authority through Parliament, conceding the Bill of Rights, grounding property in nature rather than in convenient royal grant — because an author beyond their own reach was worth more to them than an author they controlled but could not trust their rivals not to seize.

Above all it resolves the puzzle. The reason modern property feels less like a fiction than a bloodline claim does is that it was engineered to feel that way, by locating its author in nature; and the reason it is the strongest fiction ever built is that

its author, being nobody, cannot be reached. The strongest anchor is the one with no seat to seize.

Where it strains. The strain is serious and this study will not minimise it. The framework's clean story is "three relocations, each making the author less seizable, and so a smooth passage to the durable modern settlement." The actual history was neither smooth nor bloodless. Between Henry's break and the Lockean settlement lie a hundred and seventy years containing the burnings under Mary, the judicial murder of More and Fisher under Henry, the persecution of Catholics and dissenters under Elizabeth and after, the Gunpowder Plot, two civil wars, the execution of a king, a failed republic, a military dictatorship, and a second revolution. If a well-executed anchor-relocation is supposed to pass a settlement from one author to the next "without an interval of warlordism," England's passage was an interval of intermittent warlordism a century and a half long. The honest reading is that the framework describes the *destination* — where the author ended up, and why that endpoint was stable — far better than it describes the *journey*, which was a violent and contingent series of failures, reversals, and near-catastrophes that could easily have ended elsewhere. The relocations were real, but they were not a plan; they fell out of crises, and the men who made each move were mostly trying to solve an immediate problem, not to build the modern world. A defender of the framework may say the violence was the working-out of *which* author would win and *which* doctrine it would carry, not whether an anchor would hold — but that reply, while true, concedes that the framework's tidy language of "relocation" understates how much blood the tidiness cost and how nearly it failed. The endpoint was structurally sound; the road to it was not a demonstration of the framework's smoothness but of history's contingency.

A second strain: the claim that Locke's labour theory "disarmed the succession problem" and "ended factional war" is truer as a long-run structural tendency than as a description of the eighteenth century, which remained full of contested successions (the Jacobite risings of 1715 and 1745 were exactly attempts to reopen the dynastic question) and factional strife. The framework's claim holds at the level of *property title* — a landholder's estate genuinely no longer depended on which dynasty sat the throne — but not at the level of politics as a whole, which remained turbulent. The disarming of the succession problem was real for ownership and incomplete for the state.

THE AUTHOR MADE NOBODY
SECTION TEN

The disciplines: what this analysis must not flatten

Four cautions.

The relocations were retrospective clarities, not conscious designs. No one in 1534, or 1689, set out to "relocate the author of title toward an unforgeable source." Henry wanted a divorce and money; the men of 1688 wanted to be rid of a Catholic king; Locke wanted to justify resistance to the Stuarts and, not incidentally, to defend the colonial projects he served. The structural pattern this study traces is real, but it is a pattern discernible after the fact, assembled from acts done for immediate and often squalid reasons. To present it as an unfolding design would be to smuggle back in exactly the directing hand this series denies exists.

Locke's theory is being read structurally, and its philosophical richness is not exhausted by that reading. The labour theory of property is one of the most analysed arguments in the history of philosophy, with a vast literature on its internal tensions — the "enough and as good" proviso, the puzzle of how much labour appropriates how much land, the relationship between the labour theory and the consent theory of the same book. This study uses Locke for one structural purpose — to show where he located the author of property — and does not pretend to settle the philosophical questions, which remain genuinely open. The structural reading is a lens, not a total account.

"Legibility is not pardon" applies here with maximum force, because the machinery is genuinely admirable and the uses genuinely monstrous. This study has traced, with something like admiration, the ingenuity by which England built the most durable form of ownership in history. That admiration must not soften the fact that the same construction, on its outer edge, dispossessed whole peoples and

trafficked in human beings, and that the philosopher at its centre was personally implicated in both. The elegance of the labour theory as a solution to the anchor problem is real. So is the fact that it functioned as the intellectual charter for declaring inhabited continents empty and for the plantation slavery that Locke's own colonial constitution entrenched. To explain the one is in no way to excuse the other, and a reader who comes away from this study admiring the machinery without reckoning with what it was used to do has misread it exactly as badly as one who concludes that because it was used for horror it secured nothing of value.

And the English path is not a universal template. That England could relocate its anchor three times without permanent collapse depended on specific and lucky conditions — an unusually developed Parliament able to serve as an impersonal author, an island geography that limited foreign intervention in its crises, a commercial class large enough to anchor the new property regime, and a defeated dynasty that fled rather than fought to the end in 1688. Where those conditions are absent, attempts to relocate an anchor may produce exactly the permanent warlordism that England, by luck and contingency as much as design, escaped. This is a case of the manoeuvre succeeding at great cost, not proof that it can be performed at will.

THE AUTHOR MADE NOBODY
CONCLUSION

Conclusion: the strongest fiction is the one with no author

Returning to the puzzle.

The puzzle was why the most durable and expansive form of ownership ever built — the modern regime of impersonal law securing private property — rests on what ought to be the flimsiest fiction of all: not the visible authority of a god or a king, but the bare proposition that a man who works the earth thereby owns it.

The answer is that this fiction is the strongest precisely because its author is the least reachable. Every form of ownership is a fiction, a made claim about the future behaviour of others, requiring an author no competitor can forge. The history of the anchor is the history of moving that author ever further from human reach, and England ran the sequence to its end in a hundred and seventy years. Henry VIII moved the author of English title from a foreign person, the Pope — whom one could at least defy and be excommunicated by — into a domestic institution, the Crown-in-Parliament. The men of 1688, having watched one king lose his head and expelled another for trying to be the sole author of law, settled that institution's internal question and made its author fully impersonal: a procedure, the King-in-Parliament, that no single person including the king could revise, because changing what the whole instrument made required the whole instrument. And John Locke, rationalising their Revolution, moved the ultimate author of property one step further than any settlement before it — out of every human institution altogether and into nature, so that ownership rested not on any person's grant or any assembly's statute but on a pre-political natural right that existed nowhere and belonged to no one.

That is why the modern fiction does not feel like a fiction: its author is nobody, and a claim authored by nobody feels like a fact of the world rather than the decree of a man. And that is why it is the most durable anchor in the series: every earlier author had a seat that could be seized — the papacy, the throne, the ballot, the majority — and Locke's has none. You cannot depose nature. You cannot conquer the proposition that labour makes ownership. The fiction that no king could revoke, no rival could forge, and no succession could threaten was the fiction that finally solved the problem this whole series has traced — how to make a distribution of holdings safe from the men strong enough to seize it — by locating the author of that distribution beyond the reach of every possible hand.

And the same feature that made it unbreakable made it merciless. An author located in nature could be invoked by whoever performed the labour nature was said to reward, against anyone whose relationship to the land did not count as labour at all — so that the anchor which most perfectly secured the freeholder inside also most perfectly authorised the dispossession of the peoples outside, and needed no god's blessing to do it, because it had made nature itself the author of the taking. This is the series' oldest lesson in its sharpest form. The apparatus that ends the war within a settlement is the same apparatus that licenses the taking beyond its edge, and the better the anchor, the more total both effects. England built the strongest ownership the world had seen by making its author nobody at all — and a title authored by nobody is a title no one inside can shake, and no one outside can appeal to. The fiction that freed the Englishman's cottage from the king's caprice was the fiction that emptied a hemisphere. Both came from the same move: the author made nobody, and set forever beyond reach.

THE AUTHOR MADE NOBODY
SOURCES

A note on sources and scholarship

What this rests on, what is verified, and what is contested.

The framework. The theory applied here — possession against ownership, the bystanders' coordination problem, the anchor and its properties, the impossibility of a self-authored anchor, the concept of anchor *relocation*, and the law that an anchor constitutes an outside across which it licenses expropriation — is developed in the companion papers of this series (notably the studies on the Manufactured Ground, on the field of anchors, on Henry VIII, and on colonial legitimacy) and applied here rather than argued from scratch. Its borrowed components include Jeremy Bentham on property as secured expectation, Morris Cohen on ownership as delegated coercive power, Max Weber on legitimate authority, and Michael Chwe on common knowledge; the treatment of the modern property regime draws the framework's own prior studies together toward their conclusion.

The historical spine and verified documents. The Henrician break, the Act of Supremacy of 1534, and the Dissolution follow the standard record and the companion study on Henry VIII. The Stuart conflict, the divine-right claim, the civil wars, and the execution of Charles I in 1649 follow the established narrative. The Glorious Revolution of 1688 and the accession of William and Mary on conditions are standard. The **Bill of Rights of 1689** is quoted from its verified text: the declarations that the "pretended power of suspending the laws or the execution of laws by regal authority without consent of Parliament is illegal," that the like power of "dispensing with laws" is illegal, that levying money by pretence of prerogative without grant of Parliament is illegal, and that keeping a standing army in peacetime without consent of Parliament is against law, are given as enacted. **Locke's labour theory** is quoted from the verified text of the *Second Treatise of Government*, chapter 5 ("Of Property"): that every man "has a property in his own person"; that

"whatsoever then he removes out of the state that nature hath provided... he hath mixed his labour with... and thereby makes it his property"; and the contrast with the "wild woods and uncultivated waste of America" and the observation that "in the beginning all the world was America" are Locke's own words. Locke's colonial entanglements — his secretaryship to the Lords Proprietors of Carolina, his hand in the *Fundamental Constitutions of Carolina* and its grant of "absolute power and authority" over slaves, and his holding of stock connected to the Royal African Company — are documented, with the scholarly caveat noted below.

Contested and interpretive. The precise nature and degree of Locke's investment in the slave trade is debated: recent manuscript scholarship (e.g. work surveyed in *Locke Studies* and related literature) indicates that at least some of his Royal African Company and Bahama Adventurers shares came to him as compensation for his colonial administrative work rather than as direct personal speculation, and the extent of his authorship of the *Fundamental Constitutions* (portions of which survive in his hand) is likewise disputed; this study notes the entanglement as established while flagging that its character is contested. The reading of the 1688 settlement as making the author of law "impersonal," and of Locke's labour theory as relocating the author of property "into nature" and thereby "making it nobody," are this framework's structural interpretations, offered in its own terms and testable against the record. The claim that the labour theory functioned as a charter for colonial dispossession is well supported in the modern scholarship on Locke and settler colonialism (the "vacant land"/*terra nullius* literature), though the degree to which Locke intended this application, as against later readers drawing it out, is debated. The overall characterisation of the whole arc as a *sequence of anchor-relocations* is the framework's, and the section on where the case strains registers honestly that this tidy structural pattern understates the violence and contingency of the actual history.

On what is not attempted. This study makes no claim to original historical or philosophical research. It is an analytical synthesis applying a structural framework to an established record, and its contribution, if any, lies in the questions put to the material — above all the reading of Henry's break, the 1688 settlement, and Locke's labour theory as three successive relocations of the author of title toward ever-less-seizable sources, culminating in an author located in nature and therefore reachable by no one. Where the framework and the record disagree, the record wins, and the

section on where the case strains — the hundred and seventy years of blood that the language of smooth "relocation" omits — is the part its author considers most worth keeping.